

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Criminal No. 19-50(1) (ADM/TNL)**

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United States of America,

Plaintiff,

vs.

Johntez Leondis Randle,

Defendant.

**SUPPLEMENTAL MEMORANDUM  
IN SUPPORT OF MOTION  
FOR HEARING PURSUANT TO  
*FRANKS v. DELAWARE***

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Defendant Johntez Randle, by and through undersigned counsel, submits this supplemental memorandum in support of his motion for a *Franks* hearing.

As a preliminary matter, the defense argues that the *Franks* issue cannot be fully briefed without evidence which is currently in the government's possession and which is the subject of Mr. Randle's motion for supplemental discovery. Until this Court has issued its ruling on that discovery motion, Mr. Randle cannot raise all possible reasons for the *Franks* hearing.

For the moment, Mr. Randle would like to raise two considerations, in addition to those raised in his prior memorandum regarding the need for a *Franks* hearing. First, in the affidavit supporting the search warrants, Off. Hamilton alleges that he followed Mr. Randle in a silver Audi to "his [Mr. Randle's] home located at 9947 Vera Cruz Lane, Brooklyn Park[.]" Off. Hamilton says that he knows that the Audi belongs to Mr. Randle

because he checked DVS registration records. However, those records indicate a different address for the vehicle than the house on Vera Cruz Lane.

Second, Mr. Randle's Minnesota state ID also listed a different address from the one on Vera Cruz. If Off. Hamilton checked DVS records, as he claimed in his affidavit, he would know that Mr. Randle had addresses other than the one on Vera Cruz, which called into question whether the house on Vera Cruz could accurately be called his "home." These were important facts key to the magistrate's determination of probable cause, and Off. Hamilton either deliberately or recklessly omitted these facts from his affidavit.

Mr. Randle maintains that he should be granted additional discovery regarding the two alleged controlled buys in order to fully brief the *Franks* issue. However, based on the showing made in his initial briefing and supplemented by this memorandum, Mr. Randle has made the necessary showing. He respectfully asks the Court to schedule a *Franks* hearing at its convenience.

Dated: September 13, 2019

Respectfully submitted,

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